

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ANTHONY PERRI,

Plaintiff,

-against-

SERGEANT BARRITEAU; P.O. SUSAN  
SAVIANO; P.O. JOSEPH DITUCCI; and  
THE CITY OF NEW YORK,

Defendants.

**ORDER**  
**06 CV 403 (CBA) (LB)**

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**BLOOM, United States Magistrate Judge:**

By Report and Recommendation adopted on September 27, 2007, the Court denied defendants' motion to dismiss plaintiff's claims against the City of New York, police officers Barriteau, Saviano, and Ditucci for excessive force, deliberate indifference to medical needs, and intentional infliction of emotional distress. The Court granted defendants' motion to dismiss plaintiff's claims based on the equal protection clause of the Fourteenth Amendment, as well as his claims against Mayor Bloomberg and Police Commissioner Kelly. In addition, the Court directed that a guardian ad litem be appointed for plaintiff.

With its appreciation, the Court appoints Elizabeth Shofner, Esq., of Patterson Belknap Webb & Tyler LLP, 1133 Avenue of the Americas, New York, New York 10036-6710, (212) 336-2000, as guardian ad litem for plaintiff for the limited purpose of attempting to resolve this case. Additionally, in the interest of justice, the Court requests Kenneth Aronson, Esq., 270 Madison Avenue, 13<sup>th</sup> Floor, New York, New York 10016, (212) 573-8920, to be plaintiff's pro bono counsel for the limited purpose of attempting to resolve this case.

The Court shall hold a settlement conference in this case on January 22, 2008 at 3:00 p.m. in

Courtroom 373N on the 3<sup>rd</sup> floor of the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York. Plaintiff shall appear with pro bono counsel and his guardian ad litem at the conference. Defendants shall either bring someone with settlement authority to Court on January 22, 2008, or have someone with settlement authority available by telephone at that time.

SO ORDERED.

  
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LOIS BLOOM  
United States Magistrate Judge

Dated: January 15, 2008  
Brooklyn, New York